



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.4.

12/10/2019

Subject:

An Ordinance Amending the Building and Building Regulation Code of Ordinances of Brevard County, Florida to Reflect a Change to the Contractors' Licensing Board from a One Year Term to a Two Year Term

Fiscal Impact:

There is no fiscal impact to the Ordinance which amends the Buildings and Building Regulation Code of Ordinances of Brevard County, Florida that reflects a change to the Contractors' Licensing Board term from a one year term to a two year term. However, the amendment to the Ordinance will provide greater administrative efficiencies within County government.

Dept/Office:

County Manager

Requested Action:

It is requested that the Board of County Commissioners adopt an Ordinance to amend the Building and Building Regulation Code of Ordinances of Brevard County, Florida to reflect an amendment to the Contractors' Licensing Board term from one year to two years.

Summary Explanation and Background:

On September 5, 2019, the Board of County Commissioners identified several advisory committees/boards created by the County's Code of Ordinances where advisory board member appointment term was one year. Due to the administrative burden on the County, the Board approved changing these advisory committee/board members term from a one year term to a two year term. The Ordinance reflects the Contractors' Licensing Board member appointment from a one year term to a two year term.

Clerk to the Board Instructions:

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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 13, 2019

Honorable Scott Ellis
Clerk
Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, Florida 32781-0999

Attention: Deborah Thomas

Dear Mr. Ellis:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your corrected electronic copy of Brevard County Ordinance No. 2019-30, which was filed in this office on December 13, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

December 11, 2019

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item H.4., Ordinance Amending the Building and Building Regulation Code of Ordinances of Brevard County, Florida, to Reflect Change to the Contractor's Licensing Board from a One Year Term to a Two Year Term

The Board of County Commissioners, in regular session on December 10, 2019, adopted Ordinance No. 19-30, amending the Building and Building Regulation Code of Ordinances of Brevard County, Florida, to reflect an amendment to the Contractor's Licensing Board term from one year to two years. Enclosed is a fully-executed copy of the Ordinance.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

ORDINANCE 2019 - 30

AN ORDINANCE AMENDING CHAPTER 22, "BUILDINGS AND BUILDING REGULATION", CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA; AMENDING ARTICLE VI, DIVISION 2, CONTRACTORS' LICENSING BOARD; SPECIFICALLY AMENDING SECTION 22-501(a), "CREATION AND COMPOSITION"; CHANGING THE TERM OF APPOINTEES FROM ONE YEAR TO TWO YEARS; PROVIDING FOR EXPIRATION OF TERM AFTER TWO YEARS OR WITH TERM OF COMMISSIONER; ADDRESSING A SCRIVENER'S ERROR CHANGING "COMMISSIONER" TO "COMMISSION" REGARDING REMOVAL; PROVIDING FOR GENDER NEUTRAL REFERENCE; PROVIDING FOR CONFLICTING PROVISIONS, PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICATION IN UNINCORPORATED AREA OF COUNTY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners desires to change the term of the Board's appointees to the Contractors' Licensing Board from one year to two years;

WHEREAS, the Board of County Commissioners, on September 5, 2019, directed staff to prepare an ordinance providing for the change in the term; and

WHEREAS, the Board of County Commissioners has considered the comments of interested citizens in public hearing; and

WHEREAS, the Board of County Commissioners has determined that the proposed amendment serves the public health, safety and welfare of the citizens of Brevard County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. Chapter 22, Article VI, Division 2, Section 22-501(a), Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 22-501(a). There is hereby created a county contractors' licensing board which shall consist of 13 regular members and two alternate members, all of whom shall have been residents of the county for a period of not less than one year immediately prior to their appointment. The membership of the board shall include at least one member who is primarily engaged in business as a building contractor, at least one member who is primarily engaged in business as an electrical contractor, at least one member who is primarily engaged in business as a H.A.R.V. or mechanical contractor, at least one member who is primarily engaged in business as plumbing contractor, at least one member who is primarily engaged in business as a roofing contractor, at least one member who is primarily engaged in business as a swimming pool contractor, at least one members who is, or has been, primarily engaged in the business or a profession that requires expertise in fire safety standards, and three members who are not engaged in the construction business. The two members with expertise in fire safety standards shall be expected to attend only when issues related to fire safety, fire codes or interpretations of the fire marshal are on the agenda. The members shall be Officially filed with the Secretary of State December 13, 2019

appointed by the board of county commissioners for a term of two years beginning January 1 of the year of the appointment, and each member shall serve until such time as the member is removed by the commissioner or the member's successor is appointed. Any vacancy occurring during the term of any member of the board shall be filled by the commission, which appointment shall be for the remainder of the unexpired term only. Members of the board shall serve at the pleasure of the commission and may be removed from office at any time by majority vote of the commission.

SECTION 2. Conflicting Provisions. In the case of a direct conflict between any provision of this ordinance and a portion or provision of any other appropriate federal, state or county law, rule, code or regulation, the more restrictive shall apply.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 4. Area Encompassed. This ordinance shall take effect only in the unincorporated area of Brevard County, Florida.

SECTION 5. Effective Date. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. This ordinance shall take effect upon adoption and filing as required by law.

SECTION 6. Inclusion in code. It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Brevard County, Florida; and that the sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

DONE, ORDERED AND ADOPTED, in regular session, this 10 day of December, 2019.

Attest:



Scott Ellis, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Bryan Lober, Chair

As approved by the Board on 12/10/19

SEAL

Reviewed for legal form and content by: _____